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*Counsel for the United States of America*

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ROBERT TOMKINSON,  
Plaintiff,  
v.  
UNITED STATES OF AMERICA,  
Defendant.

Case No. 3:24-cv-01638-WHO

**JOINT STIPULATION OF DISMISSAL  
WITH PREJUDICE AND ORDER**

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1           Defendant United States of America and Plaintiff Robert Tomkinson hereby stipulate and  
2 agree pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii) that this action is dismissed  
3 with prejudice and with each party bearing their respective attorneys' fees, expenses, and costs.

4           Respectfully submitted,

5           Dated: August 16, 2024

DAVID A. HUBBERT  
Deputy Assistant Attorney General

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*/s/ Connor J. Pestovich*  
7           CONNOR J. PESTOVICH (NM Bar 159189)  
8           Trial Attorney, Tax Division  
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15           *Counsel for the United States of America*

16           Dated: August 16, 2024

17           

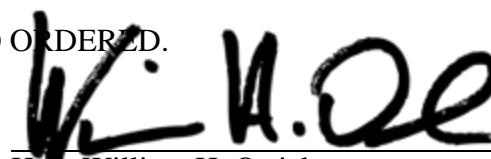
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*/s/ Anthony V. Diosdi*  
18           Anthony V. Diosdi (CA SBN 339070)  
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20           505 Montgomery St., 11th Floor  
21           San Francisco, CA 94111  
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24           adiosdi@sftaxcounsel.com

25           *Attorney for Plaintiff*

26           PURSUANT TO STIPULATION, IT IS SO ORDERED.

27           Dated: August 19, 2024.

28             
Hon. William H. Orrick  
United States District Judge

**CERTIFICATION PURSUANT TO CIVIL L.R. 5-1(i)(3)**

I hereby certify that before filing this document, I obtained permission from all signatories to this document to affix their signature and file this document.

*/s/ Connor J. Pestovich*  
CONNOR J. PESTOVICH  
Trial Attorney, Tax Division  
U.S. Department of Justice

## CERTIFICATE OF SERVICE

I hereby certify that on August 16, 2024, I electronically filed the foregoing document with the Clerk of Court using the CM/ECF system, which will send notification of such filing to all parties that have appeared in this case.

/s/ Connor J. Pestovich  
CONNOR J. PESTOVICH  
Trial Attorney, Tax Division  
U.S. Department of Justice